

Sept. 30.

Sch. Henrietta G. Martin, 8000 pollock.  
 Sch. Lafayette, 2000 hake, 5000 pollock,  
 3 swordfish.  
 Sch. Seaconnet.  
 Sch. Emily Sears.  
 Sch. Mocanam.  
 Sch. Nokomis, 10,000 pollock, 1 swordfish.  
 Sch. Ida S. Brooks, 25,000 haddock, 10,  
 000 cod, 5000 hake.  
 Sch. Minerva, 4000 pollock.  
 Sch. Grace Darling, 10,000 pollock.  
 Sch. Catherine and Ellen, 25,000 haddock,  
 32,000 cod, 35,000 hake.  
 Sch. Mary T. Fallon, 4000 haddock, 2000.  
 cod, 12,000 hake.  
 Haddock, \$2.15 per cwt.; large cod, \$3 to  
 \$4; market cod, \$2; pollock, 90 cts.; sword-  
 fish, 12 1-2 cts. per lb.

#### Fishing Fleet Movements.

Capt. Reuben Cameron is fitting sch. Mary E. Harty for a late Cape Shore seining trip.  
 Sch. Jennie B. Hodgdon was at Louis-  
 burg, C. B., on Saturday.

#### Mackerel Notes.

The Canadian Fish Bureau of Saturday last report some mackerel being taken in nets at Liverpool, N. S., but scarce at other provincial ports.

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## LOST TWO MEN.

### Sch. Essex Brings Good Fare of Flitched Halibut.

#### John Nelson and Sopus Olson Cap-sized Their Dory.

Sch. Essex, Capt. Carl Adama, arrived last evening from Bacallan bank trip, with a fine fare, 120,000 pounds of flitched halibut.

The vessel has her flag at half mast for the loss of two of her crew John L. Nelson and Sopus Olson, who were drowned August 31, by the capsizing of their dory.

The men had been fishing in 58 degrees north latitude and had hauled their trawls and were returning to their vessel. Some had got on board and noticed Nelson and Olson coming with the sail up in the dory. A little later they missed the sail of the dory, and believing that something was wrong and that the men must have overturned the dory and were hanging on the bottom, quickly threw out a dory and rowed in the direction of where the sail was last seen. The sea was getting quite lumpy and it was breezing up, but the dory hunted around for a long time but was unable to locate the men or find any signs of the missing dory.

The dory was undoubtedly capsized by a sea while the men were returning from hauling their trawls and the men were drowned.

Nelson was 45 years of age, single, and a native of Norway, and had been fishing from this port for 20 years, being a well known fisherman. He boarded with Mr. Samuel A. Nelson at 9 Beach court.

Olson was 23 years of age, single, and also a native of Norway, and boarded with Mr. Albion Lund on Main street.

Capt. Adams, who has just completed his first trip as skipper and has certainly done well, stayed to the northward all the time. He got as far north as 60 degrees once, but the ice drove the vessel back and they did most of their fishing around 58.

On the last part of the trip, after the other vessels had come home, they struck the finest kind of weather, just like Indian summer, and got good fishing with it.

Sch. S. P. Willard, Capt. Augustus Peterson, another of the flitched halibut fleet, arrived home yesterday from Bacallan bank, with a fine fare, one of the best of the season, 75,000 pounds of flitched halibut and 130,000 pounds of salt cod.

Only one of the flitched halibut fleet now remains to arrive, sch. Arbutus, Capt. Charles Flygore, and she is expected shortly.

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#### Halibut Sale.

The fare of sch. Kinco sold to the American Halibut Co. at 10 cents per pound for white and 8 cents per pound for gray.

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#### Late Seining Trip.

Capt. Reuben Cameron is fitting sch. Mary E. Harty for a late North Bay seining trip.

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## FRIENDLY LAW SUIT.

### To Determine Standing of Men Straying from Vessel.

#### PECULIAR QUESTION INVOLVED.

#### Matter Has Never Been Tried, So There Are No Decisions.

A case which will be of the greatest interest to fishermen, not only at this port, but all along the coast, was set down for a hearing before Judge Dodge at the United States district court this morning, and so far as can be learned, there is neither law nor decisions, which have been found, which tend in the least to offer a solution of the problem involved, although there have been presidents elected by custom, under certain conditions, where all parties have been agreeable, where an amicable adjustment has been reached between the parties without having recourse to the law.

While the point at issue carries with it several questions which centre around it, the main question to be decided in this suit is "What are the rights of fishermen who have gone astray from their vessel through no fault of their own in the share of the catch made on the trip?"

The suit, which by the way is a friendly one, for the mere purpose of having something tangible upon which to endeavor to clear away future similar questions which may arise, is brought by 17 members of the crew of sch. Massachusetts against the master of the vessel Capt. John J. Carroll, as agent, and who is also part owner, to compel the master to turn over the proceeds of the trip to the court, to be divided equally among the said 17 members. Strange as it may seem, two men who are liable to suffer the greatest loss or derive the most benefit from the outcome of this suit, do not figure in it at the present time at least as principals.

The facts which led up to the suit are substantially as follows:

Sch. Massachusetts left this port on a salt cod trip in May, and had made something like eight sets, securing about 8000 pounds of fish up to June 21, when Edward Keefe and Joseph Maro, two of the crew, were lost in the fog about 140 miles from the nearest land and after five days and nights in their dory made the land near Battle Harbor, Labrador, and finally made their way to this port. On the arrival of the vessel a few days ago, Keefe and Maro claimed their share of the proceeds of the voyage, to which the captain had no objection, but to which the other 17 members of the crew entered a protest.

Keefe consulted Gen. William A. Pew, Esq. in the matter.

Capt. Carroll was in a quandary. If he settled with the 19 men, the other 17 might bring suit against him, while on the other hand if he divided the trip into 17 shares, the other two men were liable to bring suit against him for the \$191 which each of them claimed.

Capt. Carroll consulted M. Francis Buckley, Esq., and Gen. Pew's opinion was asked in the matter, which resulted in a search of the law books to find a parallel case, but none could be found. Finally it was decided to have a suit brought in the name of the 17 members of the crew who made the entire voyage against the captain, based upon the question involved as given above, and the necessary papers were prepared and presented to the court and a hearing set down for today.

Keefe and Maro are out on trips in other vessels and it may be that the court before rendering any decision may request their presence.

There have been cases where men have been lost in the fog from their vessels and reached port, where they have claimed and received their share, but not always within verbal protest.

In cases where men have been lost in the fog and never heard from again or were drowned at sea, invariably the full shares which would have accrued to such men, had they been permitted to finish the voyage, were immediately paid to their families when the vessel settled up.

The outcome of this friendly suit will be watched with interest and the decision, whichever way it may go, will probably forever determine this much mooted question.

Mr. Buckley has brought the suit against Capt. Carroll, while the latter is represented by Gen. Pew.

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## SAME AS LAST YEAR.

### Herring Fishery Will Be Conducted at Bay of Islands.

#### Fishermen Will Ship Inside of the Three Mile Limit.

A dispatch from St. John's, N.F., yesterday says:

"The Newfoundland ministry having agreed to continue for the present season the arrangement effected last year permitting American herring fishermen to purchase cargoes and ship crews at Bay of Islands, N. F., the British government has cancelled the imperial rescript of 1907 which invested the naval commander in its district with absolute power to prevent colonial authorities from interfering with American vessels engaged in the winter herring fisheries along the west coast of Newfoundland.

"This means that the colonial authorities will be permitted to prosecute any Americans who violate the ordinary fishery regulations which apply alike to residents of Newfoundland and others.

"Aside from being obliged to comply with such regulations, Americans will not be restricted in any way in their fishing operations off Newfoundland during the coming winter."

All of which simply means that the Newfoundland herring fishery during the season of 1908-9 will be conducted as last season, that Americans will have the right to ship crews within the three mile limit without interference and that Sunday fishing and other local regulations will be observed by the American.

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#### Drop Expected on Western Cod.

From Seattle comes the news that new prices are to be named there within a short time on salt cod. The quotations have been cut lately in order to get rid of old or yellow stock.

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#### Large Codfish Shipments.

The Union Fish Co. of San Francisco last week received two of the largest shipments of codfish from Alaska that have come into that port for some time, aggregating 305,000 fish. Sch. Fremont, Capt. Mathewson arrived there September 6 with a cargo of 150,000 fish, and reports a rough voyage. The run from Eagle Harbor was made in fifteen days. Sch. Stanley, Capt. Wahlstedt, arrived September 15 with 155,000 codfish from Behring Sea.

#### Caught Herring with Pitchfork.

Recently the herring school off Cape Sable, N. S., were literally banked. The rapacious pollock were after them in hordes, and they rose to the surface in a dazed condition. Foster Crowell and his crew of four men, fishing six miles from land, had a rare adventure. Two men in one of the dories actually pitched three buckets of herring and five pollock into the boat with the fork, which was finally carried off in the back of a pollock.

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#### Mackerel Notes.

The largest catches of Spanish mackerel known in the history of that section are now being made at East Pass by men engaged in the fishing business at that place, says the Pensacola News, and are being brought there to market. A few days ago witnessed the arrival of boats having a total of nearly 50,000 pounds, and to this was added the catches in Pensacola Bay, which swelled the total to fully this amount. Never before, especially in the fall of the year, according to old fishermen, have the mackerel been so plentiful, and as the season extends almost into November it is expected, if the fish remain as plentiful as at present, that the fishermen will make handsome profits.



Oct. 1.

### DAILY TIMES FISH BUREAU.

#### Today's Arrivals and Receipts.

Sch. Lizzie M. Stanley, via Boston, 18,000 lbs. fresh fish.  
Sch. Kineo, Georges, 20,000 lbs. halibut, 70,000 lbs. fresh cod.  
Sch. Essex, Bacalien Bank, 115,000 lbs. flitched halibut.  
Sch. Hortense, via Boston, 50,000 lbs. fresh fish.  
Sch. James W. Parker, via Boston, 60,000 lbs. fresh fish.  
Sch. Stranger, shore, 27,000 lbs. fresh fish.  
Sch. Sheffeyld, shore, 7000 lbs. pollock.  
Sch. Lafayette, shore, 4000 lbs. pollock.  
Sch. Grayling, shore, 10,000 pollock.  
Sch. Ramona, Rips, 38,000 lbs. salt cod.

#### Todays Fish Market.

Round pollock, 65 cts. per cwt.; gutted 70 cents.  
Salt Rips, cod, large, \$4.25, mediums, \$3.25; snapper \$2.  
Salt Georges cod, large \$4.25, mediums, \$3.25.  
Salt bank dory handline cod, \$4 per cwt. for large and \$3.25 for mediums.  
Bank halibut 10 cts. per lb. for white and 8 cts. for gray.  
Flitched halibut, 7 1-4 cents per lb.  
Salt pollock, \$1.50; salt haddock, \$1.50.  
Salt mackerel, \$20 per bbl.  
Eastern salt shack trip cod, \$3.50 per cwt. for large and \$3 for markets.  
Splitting prices for fresh fish, Western cod, large, \$2.20; mediums, \$1.65; Eastern cod, large, \$1.90; medium, \$1.50; cusk, \$1.60 to \$1.65; haddock, 80 cts.; hake, 80 cts.; pollock, 70 cts.  
Salt trawl bank cod, large, \$3.62 1-2 per cwt., medium, \$3.12 1-2c.

#### Boston.

Sch. Benj. F. Phillips, 45,000 haddock, 26,000 cod, 6000 hake.  
Sch. Catherine Burke, 25,000 haddock, 30,000 cod, 15,000 hake.  
Sch. Mary A. Gleason, 8000 pollock.  
Sch. Klondike, 2000 pollock.  
Sch. Grace Darling, 10,000 pollock.  
Sch. Emily Sears, 9000 pollock.  
Sch. Maxwell, 5 swordfish.  
Sch. Elizabeth W. Nunan, 8000 haddock, 2000 cod, 6000 hake.  
Sch. Francis P. Mesquita, 40,000 haddock, 40,000 cod, 1000 hake, 2 swordfish, 8000 pollock, 500 halibut.  
Haddock, \$2 to \$3 per cwt.; large cod, \$2.75 to \$3, market cod, \$2; hake, 50 cts. to 75 cts.; pollock, \$1; swordfish, 11 cts. per lb.

#### Fishing Fleet Movements.

Sch. E. C. Hussey was at Liverpool, N. S., on Monday.  
Sch. Hattie M. Graham passed south by Mulgrave, N. S., on Sunday.

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#### Testing Mexican Salt.

The Robinson Fisheries Co. of Anacortes Wash., is testing the qualities of Carmen Island salt, which is produced in Mexico and is said to have great purity and strength.  
A new method of refining rock salt has been discovered in England. Instead of the old and slow process of liquefaction in water and subsequent evaporation, the salt is melted and purified by fire. While in a liquefied state all impurities are precipitated so as to be easily separated after cooling.

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### OBJECT TO T WHARF.

**Boston Fish Dealers Favor Some Other Location for Business.**

**Fishery Congress Delegates Tendered Banquet in That City.**

The delegates to the international fishery congress at Washington, D. C., who extended their trip to Boston and this city, were tendered a banquet by the wholesale and commission fish and oyster interests of Boston yesterday, which was attended by about 150 person. Many distinct compliments were paid to the efficiency of the state and national fishery work.

Mr. John R. Neal, who presided, speaking of the trade facilities in Boston, said that T wharf was essentially a great fish market.

Oct. 2.

"The question has often been asked," he said, "why the fish business is not removed to a more distant locality. It has been because some of the merchants have been afraid that this would result in the establishment of another market, though in cases where two fish markets have been established for a city they have not proved a success. I hope that the time will come when the city authorities will designate a place outside the city proper, where the wholesale fish business may be conducted in a thoroughly sanitary way, with the provisions made, not merely for the present, but for all future needs."

Dr. H. N. Smith, secretary general of the United States Fish Commission called attention to the very creditable, efficient and representative delegation sent from Massachusetts to the fishery congress at Washington last week. He went on to praise the Bay State delegates and to express his appreciation of the interest which the state take in the question.

Dr. George W. Field, chairman of the state commission, said: "I have the feeling that it is no more logical to restrict the use of lobsters or fish than it would be to say that because of their being so few potatoes we would restrict their use. But we must give attention to the protection of young fish until they reach the time when they will be useful and care for the adults so that there will be no shortage of eggs."

Dr. Naumann of Dresden responded enthusiastically to the toast of "The Ladies."

Prof. Prince of Ottawa, a member of the commission of fisheries of the Dominion of Canada, paid a tribute to the manner in which the fisheries of Boston and Massachusetts are conducted. He spoke of the warm welcome which Canada was ready to give the fishermen from this side of the imaginary line, and declared "We can all learn from each other and go back to our own lands with increased knowledge. There have been some differences in the past, but I hope that in the future the fisheries will be looked on as a bond of unity."

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### FROM THE BAY FLEET.

**Seiners Have Added To Their Last Reported Catches.**

**But Few Fish Taken However Since Tuesday of Last Week.**

A letter to the Times from Souris, P. E. I., dated September 26, gives the following news from the fleet of Gloucester seiners in North Bay, which may be relied on as being correct.

The letter says:

"The Daily Times which you sent were received in good time and distributed among the fleet and were much appreciated by all the boys. The mackerel conditions continue about as last report, except that the fish taken of late seem to be large and the vessels are fishing a little more to the northeast of East Point. The dogfish are giving trouble and the weather is unusually calm and warm, the thermometer going as high as 85. Little or no fish have been taken since the 22d."

Among the latest reports of catches up to the 26th, are the following:

Sch. Diana, 176 barrels.  
Sch. Electric Flash, 162 barrels.  
Sch. Ralph L. Hall, 165 barrels.  
Sch. Victor, 160 barrels.  
Sch. Patrician, 130 barrels.  
Sch. Parthia, in port and catch not reported.

On the day the letter was written, last Saturday, the rest of the fleet were not in port. The fish are moving to the eastward.

All on board the vessels are well and there have been no mishaps.

Other letters from Souris, dated on Sunday and later, give the following catches of the vessels:

Sch. Victor, 202 barrels.  
Sch. Lena and Maud, 186 barrels.  
Sch. Diana, 170 barrels.  
Sch. Ralph L. Hall, 161 barrels.  
Sch. Hattie M. Graham, 225 barrels.  
Sch. Patrician, 160 barrels.

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#### New Fishing Concern.

The American Trawl Fishing Co. of Seattle, Wash., has been incorporated under the laws of the state of Washington. The incorporators are John A. Turney and Howard S. Dndey.

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### DAILY TIMES FISH BUREAU.

#### Today's Arrivals and Receipts.

Sch. Flora J. Sears, via Boston, 35,000 lbs. fresh fish.  
Sch. Frances P. Mesquita, via Boston 70,000 lbs. fresh fish.  
Sch. Effie M. Prior, Western Bank, 160,000 lbs. fresh fish.  
Sch. Ida S. Brooks, via Boston, 20,000 lbs. fresh fish.

#### Todays Fish Market.

Round pollock, 65 cts. per cwt.; gutted 70 cents.  
Salt Rips, cod, large, \$4.25, mediums, \$3.25; snapper \$2.  
Salt Georges cod, large \$4.25, mediums, \$3.25.  
Salt bank dory handline cod, \$4 per cwt. for large and \$3.25 for mediums.  
Bank halibut 10 cts. per lb. for white and 8 cts. for gray.  
Flitched halibut, 7 1-4 cents per lb.  
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Splitting prices for fresh fish, Western cod, large, \$2.20; mediums, \$1.65; Eastern cod, large, \$1.90; medium, \$1.50; cusk, \$1.60 to \$1.65; haddock, 80 cts.; hake, 80 cts.; pollock, 70 cts.  
Salt trawl bank cod, large, \$3.62 1-2 per cwt., medium, \$3.12 1-2c.

#### Boston.

Sch. Pontiac, 4000 haddock, 13,000 cod, 17,000 hake.  
Sch. Mattakesett, 8000 haddock, 3000 cod, 8000 hake.  
Sch. Thomas S. Gorton, 20,000 haddock, 10,000 cod, 15,000 hake.  
Sch. Louisa R. Sylvia, 10,000 haddock, 8000 cod, 13,000 hake.  
Sch. Natalie J. Nelson, 20,000 haddock, 14,000 cod, 17,000 hake.  
Sch. Mattie D. Brundage, 17,000 pollock.  
Sch. Emily Cooney, 4000 haddock, 2000 cod, 12,000 hake.  
Sch. Blanche F. Irving, 1600 hake, 4000 pollock, 1 swordfish.  
Sch. Flavilla, 500 haddock, 2000 cod, 40,000 hake.  
Sch. Helen B. Thomas, 6000 haddock, 9000 cod.  
Sch. Aetor, 5000 pollock.  
Sch. Dictator, 10,000 haddock, 10,000 cod, 5000 hake.  
Sch. Hattie F. Knowlton, 1500 haddock, 600 cod, 4500 hake.  
Haddock, \$2 to \$2.25 per cwt.; large cod, \$2.50 to \$2.75; market cod, \$2; hake, 40 cts. to 80 ct.; pollock, 90 cts.; swordfish, 10 cts. per lb.

Oct. 3.

## DELEGATES ENTERTAINED.

**Smoker at Surfside Most Enjoyable Affair.**

**BIG FISH PLANTS INSPECTED.**

**Sail Out in the Bay Being Enjoyed This Forenoon.**

The visit of the delegates to the International Fisheries Congress to this city, which began yesterday, is proving one of mutual pleasure and instruction to delegates and those who are entertaining and trying to make their stay pleasant.

As stated in the Times yesterday, the visitors were received at the station on the arrival of the train, and taken to the Russia